

APR 09 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CONCORAN, CLERK
BY: *S. Taylor*
DEPUTY CLERK

KENNETH EDWARD BARBOUR,
Plaintiff,

v.

VIRGINIA DEPT. OF
CORRECTIONS, et al.,
Defendants.

Civil Action No. 7:09-cv-00099

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the plaintiff's complaint is **DISMISSED** for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 9th day of April, 2009.

James C. Turk
Senior United States District Judge